

COMMENTS

The Examiner has rejected claims 1-5, 10-17, 20-26 and 29 pursuant to 35 U.S.C. § 102(b) as being anticipated by U. S. Patent 6,006,838 to Whiteley, et al., and has rejected claims 6-9, 18, 19 and 27 pursuant to 35 U.S.C. § 103(a) over Whiteley, et al., in view of U. S. Patent 3,912,173 to Robichaux. Those rejections are respectfully traversed.

Claim 1 has been amended so that it now includes the limitations of claim 6, and calls for at least three jetting modules wherein each jetting module except one has a sleeve therein. Each sleeve is moveable from a first position covering the jetting nozzles in one module to a second position where it covers the jetting nozzles in an adjacent jetting module. Claims 11 and 21 have similar limitations. New claim 30 is a method claim that has limitations calling for the movement of a sleeve from one module to cover a previously used jetting nozzle in an adjacent jetting module, while uncovering the jetting nozzles in the module in which the sleeve was originally located. All of the independent claims thus require that there is one less sleeve than modules, and that the movement of each sleeve is such that a sleeve covering the nozzles in one module is moved to cover the nozzles in an adjacent module and to uncover the nozzles in the module in which the sleeve was originally located. Nothing in any of the art cited by the Examiner discloses such features.

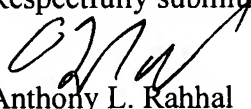
Whiteley discloses an apparatus that includes a plurality of modules where each module has a shifting sleeve. The operation of the Whiteley device is such that a sleeve is initially positioned to cover the nozzles in a module and the sleeve is shifted to uncover the nozzles when it is desired to treat a formation through the nozzles. The current invention, on the other hand, is designed so that a shifting sleeve will cover the previously used nozzles in one module, while the nozzles in the adjacent module where the sleeve was originally located are uncovered and

stimulation fluid is jetted therethrough. New claim 30 is a method claim that requires movement of a sleeve from one module to an adjacent module to cover the jetting nozzles in the adjacent module and uncover the nozzles in the module in which the sleeve was originally positioned. This arrangement is entirely different than the arrangement in Whiteley. The combination of Robichaux and Whiteley is not understood since Robichaux does not use sleeves at all. It simply injects plugs to block flow. Thus, the combination of Robichaux plus Whiteley cannot be said to disclose the invention of the current application. As such, independent claims 1, 11, 21, 29 and 30, and all of the claims that depend therefrom are allowable.

CONCLUSION

Accordingly, and for the foregoing reasons, reconsideration is requested along with an early indication of the allowance of claims 1, 7-28 and 30-36.

Respectfully submitted,



Anthony L. Rahhal
Registration No. 37,562
McAFEE & TAFT
Tenth Floor, Two Leadership Square
211 North Robinson
Oklahoma City, Oklahoma 73102
Telephone: (405) 235-9621
Facsimile: (405) 235-0439
E-Mail: anthony.rahhal@mcafeetaft.com

Attorney for Applicant

uncovered and stimulation fluid is jetted therethrough. New claim 30 is a method claim that requires movement of a sleeve from one module to an adjacent module to cover the jetting nozzles in the adjacent module and uncover the nozzles in the module in which the sleeve was originally positioned. This arrangement is entirely different than the arrangement in Whiteley. The combination of Robichaux and Whiteley is not understood since Robichaux does not use sleeves at all. It simply injects plugs to block flow. Thus, the combination of Robichaux plus Whiteley cannot be said to disclose the invention of the current application. As such, independent claims 1, 11, 21, 29 and 30, and all of the claims that depend therefrom are allowable.

CONCLUSION

Accordingly, and for the foregoing reasons, reconsideration is requested along with an early indication of the allowance of claims 1, 7-28 and 30-36.

Respectfully submitted,



Anthony L. Rahhal
Registration No. 37,562
McAFEE & TAFT
Tenth Floor, Two Leadership Square
211 North Robinson
Oklahoma City, Oklahoma 73102
Telephone: (405) 235-9621
Facsimile: (405) 235-0439
E-Mail: anthony.rahhal@mcafeetaft.com

Attorney for Applicant